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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,577	08/15/2001	Ikuo Kobayashi	450101-02885	2338

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EXAMINER

CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/930,577	Applicant(s) KOBAYASHI, IKUO	
	Examiner Nigar Chowdhury	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/15/01</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 7 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 5,933,568 by Higurashi et al.
2. Regarding claim 1, a data transmitter which transmits compressed video and audio data by serializing data having a structure composed of a pay-load part in which data including compressed video data is stored, a start sync code part disposed before the pay-load part and in which a start of active video code indicative of the start of the pay-load part is stored, an ancillary data part disposed before the start sync code part and in which information including audio data and auxiliary data are stored, and an end sync code part disposed before the ancillary data part and in which an end of active video code indicative of the end of the pay-load part (Fig. 1, Col. 5 lines 13-39), the apparatus comprising:

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- A controlling means for generating process information indicative of a process of processing video data in a receiver which receives serial data obtained by serializing the above data (Fig. 9, Col. 11 lines 42-46)
- A data generating means for generating data by storing the process information generated by the controlling means into the ancillary means (Fig. 9, Col. 11 line 47-Col. 12 lines 14)
- The data including the process information generated by the data generating means and having the above data structure being serialized for transmission (Fig. 9, Col. 11 line 47-Col. 12 lines 14).

3. Method claim 7 is rejected for the same reason as discussed in corresponding claim 1 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-4, 8-10, 13-16, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,933,568 by Higurashi et al. in view of US Patent No. 5,122,875 by Raychaudhuri et al.

5. Regarding claim 2, Higurashi discloses serially recorded and reproduces sync block (Col. 5 lines 13-39) but Higurashi fails to disclose sequence information indicative of an output sequence of the video data of the data.

Raychaudhuri discloses sequence information indicative of an output sequence of the video data of the data (Fig. 3A, Col. 5 lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include sequence information, as taught by Raychaudhuri, for the advantage of providing a sequence to the viewer. It will be convenient for the viewer to have sequence information of program while they are watching.

6. Claim 3 is rejected for the same reason as discussed in corresponding claim 2 above.

7. Regarding claim 4, Higurashi discloses addresses corresponding to a plurality of storage areas, respectively, in a storage means provided in the receiver to hold, in each field thereof, a plurality of fields of the video and audio data (Fig. 9, Col. 11 line 47-Col. 12 line 14. Each buffer memories is storage areas to hold video and audio data) but Higurashi fails to disclose sequence information.

Raychaudhuri discloses sequence information indicative of an output sequence of the video data of the data (Fig. 3A, Col. 5 lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include sequence information, as taught by Raychaudhuri, for the advantage of providing a sequence to the viewer. It will be convenient for the viewer to have sequence information of program while they are watching.

8. Method claims 8-10 are rejected for the same reason as discussed in corresponding claims 2-4 respectively above.

9. Regarding claim 13, Higurashi discloses a data receiver which receives serial data transmitted from a data transmitter which transmits compressed video and audio data by serializing data having a structure composed of a pay-load part in which data including compressed video data is stored, a start sync code part disposed before the pay-load part and in which a start of active video code indicative of the start of the pay-load part is stored, an ancillary data part disposed before the start sync code part and in which information including audio data and auxiliary data are stored, and an end sync code part disposed before the ancillary data part and in which an end of active video code indicative of the end of the pay-load part (Fig. 1, Col. 5 lines 13-39), the apparatus comprising:

- A storage means for holding the video and audio data(Fig. 9, Col. 11 line 47-Col. 12 line 14. Each buffer memories is storage areas to hold video and audio data)

Higurashi fails to disclose reading sequence controlling means for controlling the sequence of reading the video and audio data held in the storage means based on process information stored

Raychaudhuri discloses reading sequence controlling means for controlling the sequence of reading the video and audio data held in the storage means based on process information stored (Fig. 3A, Col. 5 lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include sequence information, as taught by Raychaudhuri, for the advantage of providing a sequence to the viewer. It will be convenient for the viewer to have sequence information of program while they are watching.

10. Method claim 19 is rejected for the same reason as discussed in corresponding claim 13 above.

11. Apparatus claims 14-16, 20-22 are rejected for the same reason as discussed in corresponding claims 2-4 respectively above.

12. Claims 5, 6, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,933,568 by Higurashi et al. in view of US Patent No. 6,226,038 by Frink et al.

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13. Regarding claim 5, Higurashi discloses serially recorded and reproduces sync block (Col. 5 lines 13-39) but Higurashi fails to disclose SMPTE. Frink discloses SMPTE standard for data (Col. 6 lines 1-9)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include SMPTE standard, as taught by Frink, for the advantage of identifying the data.

14. Regarding claim 6, Higurashi discloses serially recorded and reproduces sync block (Col. 5 lines 13-39) but Higurashi fails to disclose HDCAM. Frink discloses HDCAM signal (Col. 6 lines 1-9)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include HDCAM signal, as taught by Frink, for the advantage of carrying large amount of data to the viewer.

15. Method claims 11, 12 are rejected for the same reason as discussed in corresponding claims 5, 6 respectively above.

16. Claims 17, 18, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,933,568 by Higurashi et al. in view of US Patent No. 5,122,875 by Raychaudhuri et al. and US Patent No. 6,226,038 by Frink et al.

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17. Regarding claim 17, Higurashi discloses serially recorded and reproduces sync block (Col. 5 lines 13-39) but Higurashi fails to disclose sequence information indicative of an output sequence of the video data of the data.

Raychaudhuri discloses sequence information indicative of an output sequence of the video data of the data (Fig. 3A, Col. 5 lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include sequence information, as taught by Raychaudhuri, for the advantage of providing a sequence to the viewer. It will be convenient for the viewer to have sequence information of program while they are watching.

However, Higurashi and Raychaudhuri fail to disclose SMPTE. Frink discloses SMPTE standard for data (Col. 6 lines 1-9)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi and Raychaudhuri's system to include SMPTE standard, as taught by Frink, for the advantage of identifying the data.

18. Regarding claim 18, Higurashi discloses serially recorded and reproduces sync block (Col. 5 lines 13-39) but Higurashi fails to disclose sequence information indicative of an output sequence of the video data of the data.

Raychaudhuri discloses sequence information indicative of an output sequence of the video data of the data (Fig. 3A, Col. 5 lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include sequence information, as taught by Raychaudhuri, for the advantage of providing a sequence to the viewer. It will be convenient for the viewer to have sequence information of program while they are watching.

However, Higurashi and Raychaudhuri fail to disclose HDCAM. Frink discloses HDCAM signal (Col. 6 lines 1-9)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Higurashi's system to include HDCAM signal, as taught by Frink, for the advantage of carrying large amount of data to the viewer.

19. Method claims 23, 24 are rejected for the same reason as discussed in corresponding claims 17, 18 respectively above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) US 6,269,219 by Takano et al.

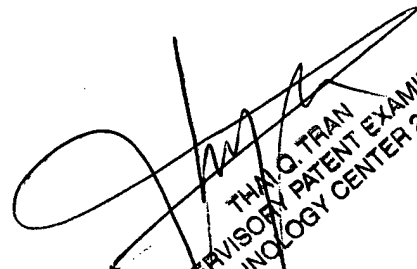
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC
10/02/2006


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